

Congress of the United States
Washington, DC 20515

March 6, 2019

The Honorable William P. Barr
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

Dear Mr. Attorney General:

Our Committees are investigating the Trump Administration's abrupt decision to abandon a long-term plan developed over multiple administrations to move the headquarters of the Federal Bureau of Investigation (FBI) from its current site on Pennsylvania Avenue, N.W., in Washington, D.C., to a suburban location, and replace it with a more costly plan to keep the current location, demolish the existing building, and construct a new facility on the same site.

According to the General Services Administration (GSA), the agency responsible for implementing the project, "The shift in location was a direct result of the input and direction from senior leadership at the FBI during the months of October, November, December 2017, and early January 2018."¹

In August 2018, GSA's Inspector General reported that Deputy Attorney General Rosenstein and FBI Director Wray may have participated in key discussions related to the headquarters project in January 2018, including at least one meeting with President Donald Trump. The report also found that "GSA did not focus on the JEH [J. Edgar Hoover Building] site in its decision-making process until late December 2017 or early January 2018."²

According to the report, Director Wray reportedly said that "if the cost savings between a suburban campus site and the existing site were similar," his "preference was to remain at the JEH building," but "[i]f the campus scenario offered significant savings," he was "not opposed to a suburban campus site." Based on the latest projections, the new proposal to rebuild the existing Pennsylvania Avenue facility could cost hundreds of millions of dollars more than the long-term relocation plan, but it would accommodate 2,306 fewer employees.³

¹ General Services Administration, Office of Inspector General, *Review of GSA's Revised Plan for the Federal Bureau of Investigation Headquarters Consolidation Project* (Aug. 27, 2018) (online at www.oversight.gov/report/gsa/review-gsa%E2%80%99s-revised-plan-federal-bureau-investigation-headquarters-consolidation-project).

² *Id.*

³ *Id.*

In order to assist our Committees with this investigation, please produce the following documents by March 20, 2019:

1. A timeline of all meetings and discussions between officials from GSA and the Department of Justice (DOJ) referring or relating to the project, including the subject matter of each meeting and a list of participants in each meeting;
2. A timeline of all meetings and discussions between officials from DOJ and the White House or the Office of Management and Budget (OMB) referring or relating to the project, including the subject matter of each meeting and a list of participants in each meeting;
3. All documents and communications between officials from DOJ and GSA referring or related to the project;
4. All documents and communications between officials from DOJ and the White House or OMB referring or relating to the project;
5. All internal DOJ and FBI communications referring or relating to the decision to retain, renovate, demolish, rebuild, or remain at the J. Edgar Hoover Building;
6. All memoranda or decisional documents justifying or memorializing any decision to retain, renovate, demolish, rebuild, or remain at the J. Edgar Hoover Building; and
7. All documents referring or relating to the plan to renovate the J. Edgar Hoover Building, including contractor statements of work, contractor reports, and cost estimates.

In addition, please provide written responses to the following questions:

1. What role did DOJ play in GSA's cancellation of the FBI procurement announced in July 2017?
2. What were the circumstances leading up to the January 2018 briefing of the President on the FBI headquarters project?
3. Why was the President briefed on the project, and who requested the briefing?

Unless otherwise specified, the applicable time period covered by this request is from January 20, 2017, to the present. An attachment to this letter provides additional instructions for responding to the Committees' request.

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If you have any questions regarding this request, please contact Committee on Oversight and Reform staff at (202) 225-5051 and Committee on Transportation and Infrastructure staff at (202) 225-4472.

Thank you for your prompt attention to this request.

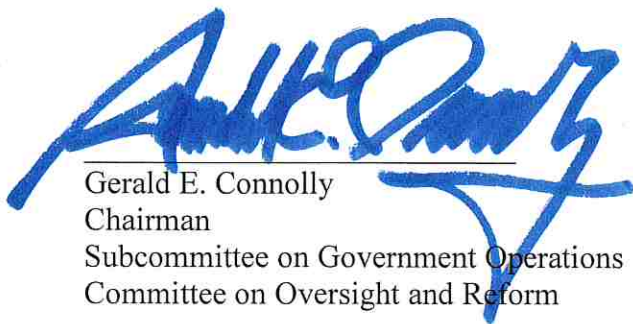
Sincerely,



Elijah E. Cummings
Chairman
Committee on Oversight and Reform



Peter DeFazio
Chairman
Committee on Transportation and
Infrastructure



Gerald E. Connolly
Chairman
Subcommittee on Government Operations
Committee on Oversight and Reform



Dina Titus
Chairwoman
Subcommittee on Economic Development,
Public Buildings and Emergency
Management
Committee on Transportation and
Infrastructure

Enclosure

cc: The Honorable Jim Jordan, Ranking Member,
Committee on Oversight and Reform

The Honorable Sam Graves, Ranking Member,
Committee on Transportation and Infrastructure

The Honorable Mark Meadows, Ranking Member,
Subcommittee on Government Operations, Committee on Oversight and Reform,
& Subcommittee on Economic Development, Public Buildings and Emergency
Management, Committee on Transportation and Infrastructure

Responding to Oversight Committee Document Requests

1. In complying with this request, produce all responsive documents that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. Produce all documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party.
2. Requested documents, and all documents reasonably related to the requested documents, should not be destroyed, altered, removed, transferred, or otherwise made inaccessible to the Committee.
3. In the event that any entity, organization, or individual denoted in this request is or has been known by any name other than that herein denoted, the request shall be read also to include that alternative identification.
4. The Committee's preference is to receive documents in electronic form (i.e., CD, memory stick, thumb drive, or secure file transfer) in lieu of paper productions.
5. Documents produced in electronic format should be organized, identified, and indexed electronically.
6. Electronic document productions should be prepared according to the following standards:
 - a. The production should consist of single page Tagged Image File ("TIF"), files accompanied by a Concordance-format load file, an Opticon reference file, and a file defining the fields and character lengths of the load file.
 - b. Document numbers in the load file should match document Bates numbers and TIF file names.
 - c. If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.
 - d. All electronic documents produced to the Committee should include the following fields of metadata specific to each document, and no modifications should be made to the original metadata:

BEGDOC, ENDDOC, TEXT, BEGATTACH, ENDATTACH, PAGECOUNT, CUSTODIAN, RECORDTYPE, DATE, TIME, SENTDATE, SENTTIME, BEGINDATE, BEGINTIME, ENDDATE, ENDTIME, AUTHOR, FROM, CC, TO, BCC, SUBJECT, TITLE, FILENAME, FILEEXT, FILESIZE, DATECREATED, TIMECREATED, DATELASTMOD, TIMELASTMOD,

INTMSGID, INTMSGHEADER, NATIVELINK, INTFILPATH, EXCEPTION,
BEGATTACH.

7. Documents produced to the Committee should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, zip file, box, or folder is produced, each should contain an index describing its contents.
8. Documents produced in response to this request shall be produced together with copies of file labels, dividers, or identifying markers with which they were associated when the request was served.
9. When you produce documents, you should identify the paragraph(s) or request(s) in the Committee's letter to which the documents respond.
10. The fact that any other person or entity also possesses non-identical or identical copies of the same documents shall not be a basis to withhold any information.
11. The pendency of or potential for litigation shall not be a basis to withhold any information.
12. In accordance with 5 U.S.C. § 552(d), the Freedom of Information Act (FOIA) and any statutory exemptions to FOIA shall not be a basis for withholding any information.
13. Pursuant to 5 U.S.C. § 552a(b)(9), the Privacy Act shall not be a basis for withholding information.
14. If compliance with the request cannot be made in full by the specified return date, compliance shall be made to the extent possible by that date. An explanation of why full compliance is not possible shall be provided along with any partial production.
15. In the event that a document is withheld on the basis of privilege, provide a privilege log containing the following information concerning any such document: (a) every privilege asserted; (b) the type of document; (c) the general subject matter; (d) the date, author, addressee, and any other recipient(s); (e) the relationship of the author and addressee to each other; and (f) the basis for the privilege(s) asserted.
16. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (by date, author, subject, and recipients), and explain the circumstances under which the document ceased to be in your possession, custody, or control.
17. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, produce all documents that would be responsive as if the date or other descriptive detail were correct.

18. This request is continuing in nature and applies to any newly-discovered information. Any record, document, compilation of data, or information not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.
19. All documents shall be Bates-stamped sequentially and produced sequentially.
20. Two sets of each production shall be delivered, one set to the Majority Staff and one set to the Minority Staff. When documents are produced to the Committee, production sets shall be delivered to the Majority Staff in Room 2157 of the Rayburn House Office Building and the Minority Staff in Room 2105 of the Rayburn House Office Building.
21. Upon completion of the production, submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control that reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the Committee.

Definitions

1. The term “document” means any written, recorded, or graphic matter of any nature whatsoever, regardless of how recorded, and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, data, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, communications, electronic mail (email), contracts, cables, notations of any type of conversation, telephone call, meeting or other inter-office or intra-office communication, bulletins, printed matter, computer printouts, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape, or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
2. The term “communication” means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, mail, releases, electronic

message including email (desktop or mobile device), text message, instant message, MMS or SMS message, message application, or otherwise.

3. The terms “and” and “or” shall be construed broadly and either conjunctively or disjunctively to bring within the scope of this request any information that might otherwise be construed to be outside its scope. The singular includes plural number, and vice versa. The masculine includes the feminine and neutral genders.
4. The term “including” shall be construed broadly to mean “including, but not limited to.”
5. The term “Company” means the named legal entity as well as any units, firms, partnerships, associations, corporations, limited liability companies, trusts, subsidiaries, affiliates, divisions, departments, branches, joint ventures, proprietorships, syndicates, or other legal, business or government entities over which the named legal entity exercises control or in which the named entity has any ownership whatsoever.
6. The term “identify,” when used in a question about individuals, means to provide the following information: (a) the individual’s complete name and title; (b) the individual’s business or personal address and phone number; and (c) any and all known aliases.
7. The term “related to” or “referring or relating to,” with respect to any given subject, means anything that constitutes, contains, embodies, reflects, identifies, states, refers to, deals with, or is pertinent to that subject in any manner whatsoever.
8. The term “employee” means any past or present agent, borrowed employee, casual employee, consultant, contractor, de facto employee, detailee, fellow, independent contractor, intern, joint adventurer, loaned employee, officer, part-time employee, permanent employee, provisional employee, special government employee, subcontractor, or any other type of service provider.
9. The term “individual” means all natural persons and all persons or entities acting on their behalf.